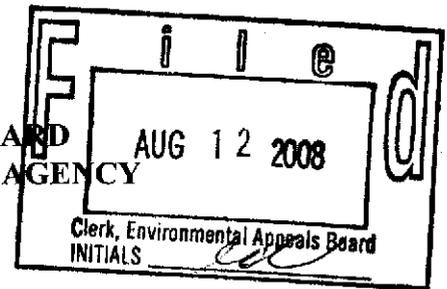


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: \_\_\_\_\_ )  
 )  
Rocky Well Service, Inc. & )  
E. J. Klockenkemper )  
 )  
Docket No. SDWA-05-2001-002 )  
\_\_\_\_\_ )

SDWA Appeal Nos. 08-02 & 08-03

**ORDER GRANTING JOINT MOTION FOR EXTENSION OF TIME  
TO FILE APPEAL BRIEF**

By motion dated July 29, 2008, Appellants/Respondents Rocky Well Service and E.J. Klockenkemper ("RWS/Klockenkemper") request a forty-five-day extension of time to file their appeal brief(s) in support of their notices of appeal of a July 23, 2008 Initial Decision issued by Presiding Officer Marcy Toney. Joint Motion for Extension of Time to File Appeal Brief at 1 (July 29, 2008) ("Motion"). The Initial Decision in this matter was served on July 23, 2008. In accordance with the thirty-day time period allowed for appealing initial decisions pursuant to the Consolidated Rules of Practice that govern this proceeding, RWS/Klockenkemper's appeal brief(s) is due on August 22, 2008. *See* 40 C.F.R. § 22.30(a)(1) (allowing thirty days to file a notice of appeal and accompanying appeal brief following service of the initial decision).

RWS/Klockenkemper state that additional time is sought for the following reasons:

- 1) current serious personal family health issues of [the counsel for Rocky Well Service, Inc.] prevent[] immediate attention to this matter; 2) several previously scheduled conflicting obligations for

both of [Appellants/Respondents'] counsels similarly hinder[] immediate substantial work on this matter; and 3) the[re is an] extremely large record and lengthy initial decision in this matter and the need to coordinate between counsel and with [Appellants/Respondents] in analyzing the decision and formulating the formal appellate brief(s).

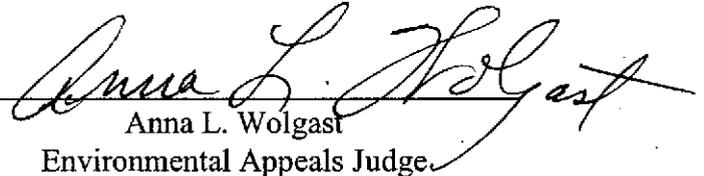
Motion at 1. RWS/Klockenkemper further represent that U.S. Environmental Protection Agency, Region 5 ("Region"), indicated orally and in writing that it does not oppose the Motion. *Id.* at 3.

For good cause shown, the Environmental Appeals Board ("Board") grants the Motion. Accordingly, RWS/Klockenkemper must file their appeal brief(s) with the Board on or before October 6, 2008. Pursuant to 40 C.F.R. § 22.30(a)(2), the Region may file a response to RWS/Klockenkemper's appeal brief(s) within the time allowed by that rule.

So ordered.

**ENVIRONMENTAL APPEALS BOARD**

By:

  
Anna L. Wolgast  
Environmental Appeals Judge

Dated: August 12, 2008

**CERTIFICATE OF SERVICE**

I hereby certify that copies of the foregoing Order Granting Joint Motion for Extension of Time to File Appeal Brief in the matter of *Rocky Well Service & E. J. Klockenkemper*, SDWA Appeal Nos. 08-02 & 08-03, were sent to the following persons in the manner indicated:

**By U.S. First Class Mail and Facsimile:**

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Date: AUG 12 2009



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Annette Duncan  
Secretary